

REMARKS/ARGUMENTS

The specification has been revised to conform it to the preferred format for U.S. patent applications as required in the Office Action, and a Substitute Specification and Comparison Copy are submitted herewith.

Claims 1-8 and 10-12 are pending in this application. Claim 9 has been canceled.

The drawings were objected to because they were deemed not to show the afterburner of claim 1.

The afterburner is not a separate device which could be added to the figures.

Afterburning is described on page 4, lines 6-12 of paragraph [0015] of the Substitute Specification: "The power source 1 in accordance with the invention includes a channel system, into the channels of which the reactants, on the one hand, namely the gaseous fuel 50 and also the air 40, can be led to the cells 2 and, on the other hand, the fuel, which is partially depleted in the cells 2, can be subjected to afterburning. The afterburning can be carried out catalytically at temperatures higher than 250°C."

Page 5, lines 10-13 of paragraph [0019] of the Substitute Specification further make it clear that the common channels 26 are acting as the afterburner stage: "After the transport through the electrode gas chambers, the air 40 and fuel 50 enter common channels 26, which are axially arranged between the air channels 24 and in which an afterburning of the only partially depleted fuel 50 to form a hot exhaust gas 60 takes place."

It is general knowledge that solid oxide fuel cells while producing electricity generate large amounts of heat which in turn heat up the exit channels (26). Therefore, the unconsumed fuel-air mixture gets burned when passing through the hot exit channels (26).

In view thereof, applicant submits that the claimed afterburner does not lend itself to be separately shown. However, its function, as above summarized, is well-described and is easily followed by one of ordinary skill on the drawings of this application. Accordingly, applicant requests that the drawing revision requirement be retracted.

The abstract has been shortened and a new one is attached hereto.

Claims 1-9 were rejected on formal grounds for a variety of informalities, missing antecedents and the like.

All claims were carefully reviewed for full compliance with Section 112 and revised accordingly. The deficiencies specifically recited in the Office Action were eliminated and overcome with appropriate revised wording for purposes of clarification unrelated to patentability concerns.

With regard to the term "environmental pressure" in claim 1, applicant points out that the power source according to the present invention can be run under different environmental conditions, e.g. under vacuum or under atmospheric conditions. Therefore, an absolute pressure should not and cannot be specified since the only important condition is that the pressure in the reservoir (5) is higher than the pressure present at the exterior of the power source. Under these conditions, a flow of fuel is generated which runs into the fuel cells.

For purposes of clarification, claim 1 has been reformulated by substituting "a pressure present at the exterior of the power source" for the "environmental pressure" that was originally used.

Concerning claim 7, the previously recited preferential range has been deleted from the claim. New dependent claim 11 with the subject matter of the preferred range has been added. Furthermore, the questioned phrase has been reformulated to and now reads "the temperature in the cells remains on such a level that a transfer from the idling state into an energy-delivering normal operating state occurs within a pre-given length of time, wherein this length of time is 10 minutes".

Applicant submits that reformulated claim 7 defines the claimed method in a clear and well-defined manner.

In view of the foregoing, applicant requests the withdrawal of the Section 112 rejection of the claims.

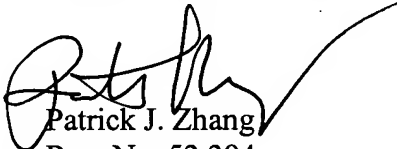
Applicant notes with appreciation that none of the claims were rejected over the prior art.

CONCLUSION

In view of the foregoing, applicant submits that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,


Patrick J. Zhang
Reg. No. 52,394

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JGS:jhw
60979788 v1